

REMARKS

This Amendment is in response to the non-final Office Action of August 25, 2009 in which claims 35 and 36 were rejected for indefiniteness and claims 31-34, 38 and 40-42 for obviousness based on *Mathiassen et al* (U.S. 7,251,351) in view of *Berberich* (U.S. 5,959,457).

With regard to the indefiniteness rejection, claims 35 has been amended to make “the” finger --a-- finger so as to remove the antecedent basis problem. Likewise, claim 36 has been amended to change “a finger” to --the-- finger. Claim 44 has also been amended to change “the cover” to --a cover--. Withdrawal of the indefiniteness rejection is requested.

Regarding the obviousness rejection, the Examiner admits that *Mathiassen et al* fail to teach the limitation wherein said substrate and said sensor part are galvanically separated, and wherein said substrate and said sensor part comprise means for transferring energy and measurement information inductively between said substrate and said sensor part.

The Examiner points to the *Berberich* reference for teaching that the substrate and the sensor part are galvanically separated and wherein the substrate and the sensor part comprise means for transferring energy and measurement information inductively between the substrate and the sensor part.

The Examiner is pointing to the embodiment of Fig. 4 for an inductive transfer of energy and column 1, lines 36-40 for the galvanic separation between a resistance sensor and an evaluation circuit. Essentially, the reference teaches a resistance sensor, for instance a wetness sensor for a windshield of an automobile, which is connected to an evaluation circuit but where there is a galvanic separation formed by an isolating transformer between the resistance sensor and the evaluation circuit.

The Examiner gives the reason for the combination as being prompted so that no direct voltage acts on the sensor. This is because of the electrolysis problem mentioned by *Berberich* that occurs when drops of water form on the sensor elements which, over time, causes deterioration of the electrodes, presumably by wasting away.

However, there is no such problem in the *Mathiassen et al* reference since the imaging sensor elements 3 are protected in between the first dielectric layer 7 and the

substrate 2 (see Fig. 1). There is therefore no need to move some of the electrodes to a higher, unprotected area for instance above the second dielectric layer 9 so as to achieve the galvanic separation suggested by the Examiner. That would not do anything to help anything in the *Mathiassen et al* structure since there is no such problem comparable to the wetness problem mentioned by *Berberich*. Therefore, the motivation to combine does not exist.

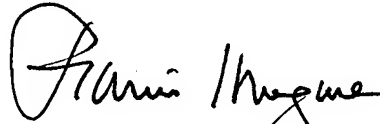
Therefore, the obviousness rejection of claim 31 is inapplicable and withdrawal thereof is requested. Regarding the dependent claims 32-34, 38 and 40-42 rejected on this ground, these are nonobvious for at least the same reasons. Withdrawal of the obviousness rejection of claims 31-34, 38 and 40-42 is requested.

Regarding the obviousness rejection of claims 35-37, 43 and 44 based on *Mathiassen et al* in view of *Berberich* as applied to claim 31, and further in view of *Harkin* (U.S. 6,327,376), these dependent claims are patentably nonobvious for at least the same reasons advanced above in applicant overcoming the rejection of independent claim 31. Withdrawal of the obviousness rejection of claims 35-37, 43 and 44 is requested.

Regarding the obviousness rejection of claim 39, it depends from claim 31 and is nonobvious for at least the same reasons as given above in connection with applicant overcoming the rejection of independent claim 31. Withdrawal of the obviousness rejection of claim 39 is requested.

The objections and rejections of the Office Action of August 25, 2009, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 31-44 to issue is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis J. Maguire". The signature is fluid and cursive, with the first name "Francis" being more prominent than the last name "Maguire".

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